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9/29/07*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(s): Veijo Vanttilen CONF. NO. 7249
SERIAL NO.: 09/771,052 ART UNIT: 2686
FILING DATE: 1/26/2001 EXAMINER: Mehrpour,
Naghmeh
TITLE: LOCATION OF SUBSCRIBER TERMINAL IN PACKET-
SWITCHED RADIO SYSTEM
ATTORNEY
DOCKET NO.: 324-010115-US (PAR)

Mail Stop AF
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRE-APPEAL BRIEF REQUEST FOR REVIEW

This is in response to the Advisory Action mailed April 12, 2007 and the Office Action mailed November 30, 2006. It is being filed concurrently with a Notice of Appeal. A petition for a two-month extension of time is enclosed herewith.

There are clear errors in facts and procedure in the Final Office Action mailed November 30, 2006 (the "Final Office Action") that make this application ripe for review under the Pre-Appeal Brief Conference review program. The finality of the instant Office Action is based on factual and procedural error and not proper for the following reasons:

- a) A final rejection is not proper when a 35 USC 102(e)/103(a) rejection is properly refuted by reason of common ownership under 35 USC 103(c);